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Response to Office Action dated October 13, 2004
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Art Unit: 2839
Examiner: Prasad
Docket No.: RPS9 2001 0086 US1

REMARKS/ARGUMENTS

Claims 1-10 and 21-40 were presented and examined. The Examiner rejected claims 1-2, 21-22, and 31-32 under 35 USC § 102(b), as being anticipated by Hansen (U.S. Patent No. 4,705,485). Claims 3, 23, and 33 were rejected under 35 USC § 103(a), as being unpatentable over Hansen. Claims 4-5, 24-25, and 34-35 were rejected under 35 USC § 103(a), as being unpatentable over Hansen in view of Cameron (U.S. Patent No. 4,217,019). Claims 6-10, 26-30, and 36-40 were rejected under 35 USC § 103(a), as being unpatentable over Hansen. In this response, Applicant has amended claims 21 and 36. Claims 1-10 and 21-40 remain pending.

Claim rejections under 35 USC § 102(b)

The Examiner rejected claims 1-2, 21-22, and 31-32 under Section 102(b) as being anticipated by Hansen (U.S. Patent No. 4,705,485).

In response to the rejections of independent claims 1 and 21, Applicant respectively traverses the rejection because the cited reference does not disclose all of the claimed limitations. Specifically, the independent claims recite an adapter card to which the receptacle is configured to attach. Because Hansen does not disclose an adapter card, Hansen does not anticipate the independent claims.

The well known rule regarding the standard for anticipation prohibits an anticipation rejection unless "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 (Citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). In the present case, independent claims 1 and 21 recite an adapter card to which the receptacle attaches in a particular manner (where an axis of the receptacle is perpendicular to the adapter card). Applying the Verdegaal rule, an anticipation rejection of these claims is appropriate only if Hansen explicitly discloses an adapter card (and the manner in which the receptacle attaches to the adapter card) or if these limitations are inherent in what Hansen does teach explicitly. Hansen does not explicitly teach an adapter card. There is no mention of an adapter card or anything analogous to an adapter card in Hansen. In addition, there is nothing disclosed in

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Hansen that would teach an adapter card inherently. In other words, there is nothing about the probe and contact structure of Hansen that would necessarily contain or require an adapter card.

Accordingly, because Hansen does not explicitly or inherently teach all of the limitations of claims 1 and 21, Applicant would respectfully request the Examiner to reconsider and withdraw the rejection of independent claims 1 and 21 and their respective dependent claims. Moreover, because amended independent claim 31 also recites an adapter card limitation, the same argument applies to the rejection of claim 31 and its dependent claims.

In addition to the foregoing, originally presented claim 1 and 31 as amended both include a limitation reciting wherein the probe is rotatable from a first position in which the probe contact elements do not contact the receptacle contact structures to a second position in which the probe contact elements align with the receptacle contact structures. Hansen does not teach this limitation either explicitly or inherently. The probe contact elements of Hansen (reference numeral 2) are shown as bands that encircle the probe body (1). Because these probe contact elements are continuous and circular bands made of an electrically conductive material, it would not be possible to rotate the probe within the receptacle from a first, non-contacting, position to a second, contacting, position. If the probe contact rings 2 are in contact with contact elements of the surrounding structure, they will be so regardless of the rotational position of the probe. Thus the Hansen probe does not and, indeed, cannot read on the claim limitations under discussion. Accordingly, Applicant would respectfully request the Examiner to reconsider and withdraw the rejection of originally submitted independent claim 1 and amended independent claim 31 and their respective dependent claims.

In addition to the foregoing, Applicant respectfully traverses the Section 103(a) rejection of claims 6, 26, and 36 (as amended), which were rejected as obvious over Hansen. Each of these dependent claims recites a two piece probe cover that prevents probe/receptacle contact in a rotational first position and enables probe/receptacle contact in a second rotational position. Applicant submits that the Section 103(a) rejection of this element is not suggested by the Hansen disclosure because Hansen teaches away from mechanisms that would prevent contact between the probe elements and the receptacle elements. Specifically, Hansen is directed at a probe/receptacle assembly that exhibits great reliability in maintaining the probe/receptacle

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contact. Hansen, for example, stresses the suitability of its invention for use in underwater communication equipment. It will be appreciated by those skilled in the art that an invention particularly suitable for underwater communication equipment applications would necessarily have to exhibit exceptional reliability. As such, one skilled in the art would not be motivated to modify Hansen to incorporate additional designed to prevent contact between the probe and receptacle elements.

Moreover, Hansen explicitly teaches away from incorporating additional components. Hansen indicates, as an object of its invention, to provide an electrical connector "having a very simple construction, comprising a small number of electrical parts." Hansen teaches that fewer parts are more desirable because of their simpler structures are more reliable. Because Hansen teaches away from the incorporation of additional components, Applicant submits that the Section 103(a) rejection of claim 6, 26, and 36 in view of Hansen is improper and Applicant would respectfully request the Examiner to reconsider and withdraw the rejection of these claims and their respective dependent claims.

With respect to the Section 103(a) rejection of claims 4, 24, and 34 under Hansen in view of Cameron, Applicant respectfully traverses the rejection because there is no motivation or suggestion to combine the references. As argued above with respect to claims 6, 26, and 36, Hansen states as an explicit goal, the construction of a simple electrical connector with a minimum of parts. One skilled in the field having the benefit of Hansen would not be motivated to incorporate a mechanically complex structure such as an iris because it would be directly contrary to Hansen's teachings. Accordingly, because there is no motivation or suggestion to combine Hansen and Cameron, Applicant respectfully requests the Examiner to reconsider and withdraw the Section 103(a) rejection of claims 4, 24, 34, and their respective dependent claims.

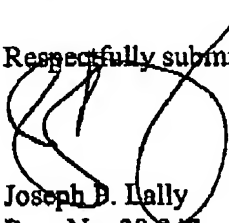
In this response, Applicant has addressed the Examiner's objections, claim rejections under 35 USC § 102(b), and claim rejections under 35 USC § 103(a). Accordingly, Applicant believes that this response constitutes a complete response to each of the issues raised in the office action. In light of the amendments made herein and the accompanying remarks, Applicant believes that the pending claims are in condition for allowance. Accordingly, Applicant would request the Examiner to withdraw the rejections, allow the pending claims, and advance the

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application to issue. If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference at 512.428.9872.

Respectfully submitted,


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